

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed December 30, 2003. Claims 9, 17, 37, 42, 47, 48, 51, 53, 57, 62, and 71-77 have been cancelled without prejudice. Claims 1-3, 6, 10, 21-22, 25-26, 29-30, 41, 45-46, 50, 54, 61 and 65-67 have been amended. Reconsideration of all pending claims is respectfully requested.

In the Office Action, claims 1, 9-11, 18-21, 29-31, 38-41, 49-51, 58-61, 69-71 and 78-80 were rejected under 35 U.S.C. §102(b) as being anticipated by Wallis (U.S. Patent No. 5,740,371). In addition, claims 1-4, 7, 9-16, 18-20, 21-24, 27, 29-36, 38-40, 41-44, 47, 49-56, 58-60, 61-64, 67, 69-76 and 78-80 were rejected under 35 U.S.C. §102(b) as being anticipated by Montulliu (U.S. Patent No. 5,826,242), claims 1-7, 9-11, 13-16, 18-19, 21-27, 29-31, 33-36, 38-39, 41-47, 49-51, 53-56, 58-59, 61-67, 73-76 and 78-79 were rejected under 35 U.S.C. §102(b) as being anticipated by Masters (U.S. Patent No. 6,374,300), and claims 1, 7-8, 12, 21, 27-28, 32, 41, 47-48, 52, 61, 67-68 and 72 were rejected under 35 U.S.C. §102(b) as being anticipated by Kaddeche (U.S. Patent Application Publication No. 2003/0036949). Applicant respectfully traverses these rejections in their entirety.

As the Examiner is aware, in order to anticipate a claim under §102(b), each of these cited prior art references must teach every element set forth in the claims. “A claim is anticipated *only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.*” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (Emphasis added). Applicant respectfully submit that a *prima facie* case of anticipation cannot be established because none of these references describe registering or even identifying servers for routing content (e.g., multimedia information) to the viewer. Applicant respectfully request the Examiner to reconsider the claims as now amended.

In addition, claims 17, 37, 57 and 77 were rejected under 35 U.S.C. §103(a) as being unpatentable over Masters. This rejection is moot in light of the cancellation of claims 17, 37, 57 and 77 without prejudice.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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03/30/2004

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Date